

EXHIBIT 2

THIRTY-SECOND AMENDED DECLARATION OF
DIRECTOR RON EDWARDS

I, Director Ron Edwards, make the following statements under oath and subject to the penalty of perjury:

1. I am currently employed as the Director of the Hudson County Department of Corrections and Rehabilitation, which oversees the Hudson County Corrections Center (the “HCCC”) located at 30-35 South Hackensack Ave. in Kearny, New Jersey. I have held this position since August 2017.

2. As Director, my areas of responsibility include, among other things, custodial operations, special investigations division, training division, business office, outside vendor contracts, policy and procedure, scheduling, facility maintenance, and information technology. HCCC’s purpose is to protect and serve the public. The facility’s primary functions are to hold individuals awaiting arraignment, trial, conviction, or sentencing with the level of custody necessary to protect the public while providing care, discipline, training, and treatment in preparation for reintegration into the community.

3. In addition to housing state inmates, HCCC houses federal inmates and U.S. Immigration and Customs Enforcement (“ICE”) detainees pursuant to an Inter-Governmental Service Agreement. HCCC can house a maximum capacity of 1400 inmates and 328 ICE detainees. During the first three months of 2020, HCCC housed on average 600 inmates and 300 ICE detainees per day. HCCC’s current inmate and detainee population is 899 including 47 ICE detainees. HCCC is operating well under its maximum capacity.

4. Within HCCC, ICE detainees are housed in their own housing units separately from federal and state inmates. There are five housing units used exclusively to house ICE detainees. ICE detainees do not come into contact with inmates within the facility. There are separate correctional staff assigned to the ICE detainees. The correctional staff assigned to work with state and federal inmates do not have contact with the ICE detainees.

5. The HCCC facility was designed with air handlers and a purge system in every housing unit, which enables HCCC to re-circulate the air within the facility every four hours. The air handler brings in outside air into the unit when dampers are open. Currently we have dampers open. Fresh air is circulated in the housing units throughout the day.

6. I am familiar with the measures taken at HCCC in response to the global pandemic of Coronavirus Disease 2019 (COVID-19).

7. The health care of our inmates and detainees is currently administered by Wellpath under the supervision of Dr. Ralph P. Woodward, the on-site managing physician. Due to the COVID-19 outbreak, additional Hudson County medical staff, including RNs and LPNs, are on-site 24/7 to provide full coverage for all detainee/inmate medical needs. A physician is on call on a 24-hour basis for any emergency needs. There is also a physician-supervised on-site medical infirmary.

8. Since March 3, 2020, HCCC correctional and medical staff, in conjunction with the New Jersey Department of Health, Centers for Disease Control, and other public health and correctional institutions, have been tracking the COVID-

19 outbreak, regularly updating infection prevention and control protocols, and issuing guidance to all staff on screening and management of potential exposure among inmates and detainees.

HCCC COVID-19 Protocols

9. In early March 2020, HCCC began to take several measures to ensure the health and safety of all inmates, detainees, and staff in light of the COVID-19 global pandemic. HCCC has continued to develop these measures as the situation surrounding COVID-19 continues to rapidly develop.

10. The cells in the housing units are approximately 10' x 7'. There are two beds per cell in HCCC housing units. These are bunk beds. There are no more than two inmates or detainees per cell, one per bed. Apart from the beds there is 70.6 square feet in the cells. Most of the detainees are housed in a cell by themselves. There are some exceptions for cases where a detainee has a mental health condition. HCCC has one isolation wing in operation that can accommodate 48 people.¹ The isolation wing has separate air handling. There is another wing on standby to be used as an isolation wing if necessary.

11. Due to the COVID-19 crisis, each Housing Unit is on a "Restrictive Schedule." Any time that inmates and detainees spend outside of their cell involves appropriate social distances. Under the Restrictive Schedule, inmates and detainees are permitted out of their cells for two three and one-half hour periods during the

¹ Isolation for medical purposes is different from disciplinary segregation. The facility uses medical isolation when it is necessary for public health. Disciplinary segregation includes the removal of privileges such as commissary and visits.

day. The areas outside of the cells that the inmates use are being cleaned continuously during a 16-hour period during the day. Additionally, inmates and detainees may request disinfectant wipes from staff. Each Housing Unit is “locked down” between shifts to clean and sanitize. All housing units are sanitized no less than three times per day.

12. HCCC has implemented, and continues to implement, the following measures pertaining to intake due to the COVID-19 crisis:

- a. As of March 7, 2020, HCCC has stopped accepting any ICE detainees that:
 - i. Have been in China, Italy or Iran within the last 31 days.
 - ii. Were arrested at the border.
 - iii. Were arrested in the United States but have not been tested for COVID-19 and medically cleared.
- b. In addition, HCCC has revised its intake procedures as follows:
 - i. Prior to booking a new inmate or detainee, a registered nurse will take the prisoner’s temperature in an external holding area before the inmate or detainee enters the facility. Any person with a temperature over 100.4 degrees will be denied entry and must be transported by the arresting agency to a hospital.
 - ii. All new arrests are given a comprehensive medical assessment by a registered nurse within four hours of their coming into the facility. The assessment includes a battery of questions as to history of countries they have visited within the last two weeks as well as hospitalization and visits to emergency care facilities.
 - iii. Hand sanitizers are available to all individuals coming into the facility.
 - iv. After every court movement, the entire Intake/Property area is shut down so it can be cleaned and sanitized.
 - v. At the change of shift, the Intake/Discharge area – including Property, External Holding Area, and Bullpens – is cleaned and sanitized.

- vi. The occupancy of the Bullpens has been reduced from 29 to 9 inmates.
 - vii. HCCC established a policy that any newly admitted inmates and detainees are placed in “locked down” to prevent potential contamination. They are not assigned to a housing unit until they have been medically cleared.
- c. As of March 7, 2020, prior to entering the facility, staff members and vendors must have their temperatures checked by a medical professional. These screenings are performed by medical staff conducted outside the facility, and conducted on every shift due to 24-hour coverage by Hudson County medical staff. Individuals who have a temperature above 100 degrees Fahrenheit are not permitted to enter the facility.
- d. As of March 7, 2020, HCCC has also:
- i. Suspended all tours, volunteer services, weddings, etc.
 - ii. Educated HCCC staff regarding protocols and best practices to prevent the spread of COVID-19. Informed staff members that they should stay home if they are sick.
 - iii. Educated inmates and detainees on the importance of hand washing and best practices to prevent the spread of COVID-19 including covering coughs with the elbow instead of with hands, practicing social distancing, and requesting medical care if they feel ill. HCCC provides detainees daily access to sick call and has an on-site medical infirmary;
 - iv. Posted CDC and Department of Health posters throughout HCCF, including all housing units, employee entrances, workstations and the visitor lobby area. These posters provide educational information encouraging proper washing of hands and other infection avoidance best practices such as social distancing;
- e. HCCC has implemented an increase in the general cleaning of the facility with additional staff working through the late-night hours to ensure that the facility is cleaned and disinfected. All housing units are sanitized repeatedly during the day. Fresh air is constantly circulated by opening utilizing handler/vents throughout the day. All feeding is done inside the housing or cells and inmates do not congregate for meals. HCCC provides disinfectant spray and soap in every housing unit at the jail. The administration is encouraging both staff and the jail general population to use these tools often and liberally.

- f. HCCC has also worked with its food vendor to ensure the following:
 - i. Have the food vendor “store” 14 days inventory;
 - ii. Have available three meals per day for 14 days of pre-packaged food that can feed the entire jail population and staff;
 - iii. Prepackage food that can be prepared and ready for delivery by two kitchen workers in case of any outbreak that requires quarantine that would affect Kitchen Staff;
 - iv. Clean and sanitize the kitchen three times a day after every meal;
 - v. Have no open food display; closed the salad bar.

- g. With respect to medical care, since March 7, 2020, HCCC has:
 - i. Increased monitoring of all inmates and detainees for symptoms or signs of illness;
 - ii. Established and cleared a designated housing unit as a quarantine area for inmates and detainees who are suspected of or test positive for COVID-19 infection;
 - iii. Initiated health screening for all Corrections Officers, civilians, and outside vendor staff every time they enter the building. Prior to entering the facility, staff members, attorneys and vendors must receive medical screening by the medical staff, which includes having their temperatures checked. These medical screenings are conducted outside of the facility. Anyone who exhibits any signs is not allowed to enter the facility;
 - iv. Established a new protocol to be followed by the HCCC Medical Department for the handling of inmates or detainees who may suffer from health conditions identified by the CDC as putting them at a high risk of developing serious illness or death from COVID-19. This protocol includes daily monitoring of these inmates and detainees and the establishment of a plan to remove the inmates from the rest of the population if determined to be necessary by the HCCC Medical Department. The Medical Department has further transitioned to telemedicine for all outside consultations and has postponed all elective medical procedures;
 - v. Maintained a 30-day supply of medication.

- h. As of March 8, 2020, HCCC has suspended all social visitation and facility tours. Video visitation is available for family and friends.
- i. For attorney visits, web-based video visitation is available free of charge. Non-contact visitation where attorney and detainee/inmates meet are separated by a glass partition is also available. Visiting areas are cleaned and sanitized after each visit.
- j. HCCC also facilitates confidential telephone calls between detainees and inmates and their attorneys. Attorneys may contact the Inmate/Detainee Advocate to arrange for a telephone call with their client. The inmate or detainee can use headphones while speaking with their attorney.
- k. Since March 21, 2020, the recreation period has been staggered. The staff encourages inmates and detainees to maintain proper social distancing in accordance with the CDC guidelines on social distancing in correctional facilities during recreation. Inmates/detainees do not mingle during recreation time. The recreation areas are constantly being cleaned throughout the day.

13. Following the implementation of the measures described above, HCCC has continued to establish additional precautionary measures as the situation regarding COVID-19 continued to develop. Such measures include:

- a. On or about March 19, 2020, HCCC (a) implemented a regular call amongst all County Wardens to discuss best practices; and (b) canceled all assembled “roll calls” for officers at the start of their shifts to reduce large staff gatherings. All directives are disseminated through an online system or through direct orders from supervisors.
- b. On or about March 23, 2020, HCCC coordinated with the U.S. Marshals to implement video conferencing within HCCC, within proximity to inmates and detainees, so that they can continue to have their cases heard. This service is available to detainees. This will further minimize movement and contribute to social distancing:
- c. All staff has Personal Protective Equipment (“PPE”), including N-95 masks, gloves, and eyes protection. Nurses also have coveralls or gowns.
- d. Medical personnel are visiting each cell twice a day to check on the medical and mental health status of every inmate/detainee. Inmates and ICE detainees who report or show symptoms consistent with

COVID-19 infection are immediately evaluated by medical staff. Inmates or detainees who have non-emergent medical complaints that are unrelated to COVID-19 are seen by a healthcare provider within 24 hours.

- e. Meals are being provided to inmates and detainees in their cells.
- f. HCCC staff encourage inmates and detainees to avoid congregating.

14. HCCC follows guidance issued by the Centers for Disease Control, the World Health Organization and local guidelines on testing and treatment for COVID-19 to safeguard those in its custody and care. Detainees and inmates who feel any symptoms of illness can make daily sick calls as needed. They can either submit a medical complaint using a kiosk or submit a handwritten request to a nurse that comes in the unit twice a day.² If an inmate or detainee exhibits signs or symptoms of COVID-19, including respiratory illness, they will be provided a surgical mask.

15. HCCC has a liberal testing policy. HCCC uses the multipurpose Universal Transport Medium (“UTM-RT”) to test any detainees or inmates who require testing for COVID-19. Test results are returned in 72 hours on average. If an inmate or detainee tests positive for COVID-19, but does not require hospitalization, the inmate or detainee will be isolated in a cell in a designated isolation area, which has been designated to house individuals who have tested positive for COVID-19.

² With the exception of emergencies that require immediate treatment, HCCC does not take sick call requests verbally due to HIPAA requirements. Inmates or detainees may enter their sick call requests into the kiosk system in English or Spanish. HCCC also has a language line service available 24 hours a day for interpretation in 13 different languages.

16. Inmates and detainees who are symptomatic pending test results are evaluated by medical staff, and, depending on the severity of their symptoms, may start on anti-viral medications. Vitals including temperatures are monitored daily and inmates and detainees are evaluated for hospital placement. Symptomatic inmates and detainees awaiting test results are also placed in quarantine in medical, and stay there for 14 days. Each cell in the quarantine unit is spaced so that inmates and detainees are at least six feet apart. Because this housing unit is operating well under capacity, there is ample space for the detainees to practice social distancing.

17. Inmates who have had a known exposure to a person with confirmed COVID-19, but are asymptomatic, are housed together with restricted movement for the duration of the most recent incubation period. This process is known as cohorting. Those that show onset of fever and/or respiratory illness are referred to a medical provider for evaluation. If no new COVID-19 case develops in 14-day incubation period, the cohorting of those inmates is discontinued. This unit is operating well under capacity, and therefore allows ample room for social distancing for any inmates who must be cohorted in this unit.

18. Our medical provider has assured HCCC that we have on hand the appropriate PPE and other equipment to meet our needs to combat COVID-19 and protect inmates, detainees, health care workers, and other staff members.

19. Inmates and detainees are provided two bars of soap each. Additional soap is provided upon request. Inmates and detainees also have unlimited access to

water. Additionally inmates and detainees are provided disinfectant wipes upon request, which may be used in the common areas including the kiosk. The facility has a three-month supply of soap and disinfectant wipes on hand.

HCCC COVID-19 CASES

20. As of 9:00 a.m. on March 15, 2021, HCCC had no active cases of COVID-19 among the inmates. Since the COVID-19 outbreak began, HCCC has identified the following cases of COVID-19, confirmed by testing, among HCCC inmates, detainees, and staff:

- a. 17 ICE detainees have tested positive for COVID-19.
- b. 105 county and federal inmates have tested positive for COVID-19.³
- c. 133 HCCC staff members have tested positive for COVID-19 since the pandemic began.

21. Two members of the HCCC correctional staff, the former facilities commissary director, and two nurses who worked at HCCC have died from complications from COVID-19.

22. On or about April 27, 2020, HCCC has mandated that all law enforcement officers be tested for COVID-19. HCCC then implemented random COVID-19 testing of correctional officers for continual monitoring.

23. There is no mandate for testing the entire HCCC inmate and detainee population by any federal, state or county health agency. Nevertheless, during the

³ This number includes inmates who tested positive since the facility began testing for COVID-19 upon admission.

week of June 8, 2020, I decided to exercise my discretion as the Director to test the entire facility for COVID-19. We tested all the inmates and detainees who were in the facility as of the week of June 8, 2020. As we established fully tested and clean housing tiers, we allowed those inmates and detainees significantly more time out of their cells each day. Additionally, we now test all new admissions for COVID-19.

24. HCCC houses inmates and detainees with medical conditions that require chronic care in the infirmary. The correctional officers who work with those inmates and detainees are using suits, N95 masks, gloves and eye protection.

25. HCCC has provided the correctional officers who work with inmates and detainees housed in the general population with N95 masks, gloves and eye protection, but they are only required to wear masks. HCCC has a compliance officer on all three shifts who goes around the facility to make sure that correctional officers are wearing masks. Additionally, HCCC provides surgical masks to the entire inmate and detainee population. New surgical masks are available upon request.

26. The number of COVID-19 tests administered to inmates and detainees to date is 3147.⁴ The number of inmates and detainees who tested negative is 2962. Of the 122 inmates and detainees who tested positive for COVID-19 to date, all them made a full recovery. Since the pandemic began, only one of the inmates and detainees who tested positive had to be hospitalized.

27. In late December 2020, we discovered a cluster of positive cases in one housing unit. HCCC then tested the entire housing unit. After the testing of that


⁴ Some inmates and detainees were tested more than once.

housing unit was complete, HCCC tested the entire jail population. Mandatory testing for staff and vendors was also conducted. HCCC has now implemented weekly testing for staff and vendors, and monthly testing for the inmates in the two housing units that were impacted.

28. COVID-19 vaccinations started during the week of January 4, 2021 for all correctional staff. The vaccine was ordered for the jail's population with the intent to start inoculations during the week of January 11, 2021. The vaccine will be offered to all inmates and detainees. Inmates and detainees will have the option to decide whether to accept or refuse the vaccine. To date, 234 inmates and detainees have received the first dose of a COVID-19 vaccine. To date, 195 inmates and detainees have received the second dose of a COVID-19 vaccine.

I declare, under penalty of perjury under 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge, information, and belief.

DATED: March 15, 2021



DIRECTOR RON EDWARDS
Hudson County Department of Corrections and
Rehabilitation